

# VICTORY WON ON FIVE CENT FARE TO CONEY

## Audubon Bank Bought for \$50,000 of Its Own Money

**NIGHT EDITION.**

**The**



**World.**

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"Circulation Books Open to All."

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### GAVE BANK DUMMY NOTES FOR \$50,000 TO DISCOUNT, USED THE MONEY TO BUY IT

Nieto Walked From Audubon Window to Directors' Room, Where Cash Dazed 'Em.

MILLS GOT \$2,000 BONUS

Board That Succeeded Those Who Sold Out Rewarded President's Coup.

One more reward of high finance on Washington Heights—before bank exultations went over the books of the Audubon National Bank and applied it all—was revealed today before Judge Hunt and a jury in the Federal District Court, where David S. Nieto, a defendant in the bank's financial collapse, was on trial for having misappropriated \$50,000 of the bank's funds when he was its president.

According to David Nieto, the State witness who yesterday testified that Mills, "between drinks," asked him to buy the Audubon National with worthless paper, the new Board of Directors installed by Mills after the "purchase" voted the president an award of \$2,000, referred to by the witness as a "donation."

Former State Senator Edgar T. Brackett, Mills's attorney, sought to shake the story of Nieto, who is a traveling salesman living in Brooklyn, but succeeded only in throwing more light on the final scene in the transfer of the bank's stock to Mills through Nieto.

BROUGHT \$50,000 DUMMY NOTES TO BE DISCOUNTED.

"It was on June 10, 1911, that I went to the bank with the notes which Mills had directed me to prepare," testified Nieto. There were twelve of the notes, ten for \$4,000 each and two for \$5,000. I had received them from my brother-in-law, Arthur Haer, who had been associated with Mr. Mills in the employ of the Trust Company of America. The notes were signed and I had been given instructions for filing them.

"Mr. Mills and I had an understanding that I was to give the directors the impression I had brought the money up from downtown. They were all in the directors' room when I discounted the notes in the bank proper. I waited perhaps twenty minutes, and then went back to the directors' room.

"Mills introduced me to the directors as the man who was going to buy their stock.

"Have you got the money with you?" one of them wanted to know. I told him I had and threw the bills on the table. Then someone asked me if I had not been afraid that I would be knocked down and robbed. I thought, what Mills had told me.

"Not a bit afraid," I said. "Why, I've got two guards waiting for me outside now."

"One by one the directors passed in their stock, and I paid them off. Then we had an election, and at its end I was the new vice-president of the bank. Somebody said Mr. Mills would surely receive a bonification for his services, but it was decided to leave the matter over for me and the new board of directors."

"What was it, Mr. Nieto?" chorused Judge Hunt, Mr. Brackett and Assistant District Attorney Levy. "That they thought Mr. Mills should receive?"

"A bonification," he repeated. "A bonification is a substantial appreciation of services rendered."

"And did he get it?"

"Yes, he was voted \$2,000."

Mills, who had been looking stumpy at the witness, stroked his Van Dyke beard in retrospection and smiled for the first time.

Arthur G. Moses, a note broker whose services were used in connection with the deal, testified that he had known Mills for many years and that he had seen nothing questionable about the transaction. He was asked by Mr. Levy if he had been told by Mills that any others were associated with him in the deal, important men of finance.

"No," he answered.

"Didn't he say that he was in with Morgan or Hobbs?" persisted the Government prosecutor.

William M. Levy, who is associated in the defense, jumped to his feet and shouted:

"I move that this be stricken from the record. No one here has a right to dwell upon mentioning his name in connection with Robison."

### INVENTOR FEARS USE BY CROOKS OF HIS DICTAGRAPH

Says, on Witness Stand Machine Is Not for Sale and Lease Is Regulated.

CAN PICK UP A WHISPER

K. M. Turner Describes His Machine in Trial of Suit Against Fortune Teller.

Kelly M. Turner, the inventor and owner of the dictagraph patent, who lives at No. 4 West Thirtieth street, was a witness before Judge McIntire in General Sessions today in the trial of Mrs. Fanny Dio, a fortune teller, who is charged with having attempted to get money by blackmail from Dr. Samuel Tandlich. The principal evidence against Mrs. Dio was that of a dictagraph he overheard a conversation between a messenger from Mrs. Dio and Dr. Tandlich in the physician's office. The testimony of the inventor was offered by the State to prove that the instrument was sufficiently effective to enable the detective to hear what was said.

Mr. Turner said that only once before had he consented to appear as a witness in a trial. He had the utmost confidence in his instrument, which he perfected in 1907 after devoting the best part of his life to it. He said no machine as such, because his conscience forbade him to allow the instrument to get into the hands of persons not known to him as law abiding and trustworthy.

"There is no limit to the possibility of the use of the dictagraph for criminal purposes," said Mr. Turner. "Blackmailers could reap a harvest with it, and all business secrets could be stolen, the hiding places of valuable jewels, the plans of the police and police officers overheard."

DIFFICULT EVEN TO LEASE ONE OF THE DICTAGRAPHS.

The machine exhibited in court was identified as dictagraph made for detective purposes. Mr. Turner said that he had made and leased several hundreds of the instruments.

"My instructions in my office," he said, "are to make it as difficult for a man to lease one of these instruments as it is to cash a \$10,000 check in a bank where he is not known."

"I have stretched wires from Paris to Berlin and from Rome to Naples over which conversation picked up at a distance of twenty or thirty feet from the receiver have been heard. For the King of England, listening at the receiver, I spoke in a voice as low as was possible without whispering, standing ninety feet from the transmitter and he said he heard every word."

"In the room regarding which testimony is given here, fifteen feet square, this instrument would record every sound, even a whisper."

The inventor said he had used the machine himself in the Ohio suffrage investigations and in other cases. He described the working of the machine in a general way, but refused to go into details, saying that to do so too far with his account of it might lead unscrupulous persons to imitate the machine, defying the patent laws, for use by criminals. He said that a double dictagraph made it possible for the instrument to catch sound from any quarter, and that its process might properly be compared, regarding sound, to the effect of a magnifying glass in increasing the size of a minute object.

Mr. Turner said that he had also invented an attachment which by means of a rheostat could be regulated to catch any particular voice out of a chorus, making it possible to overhear one or more conspirators in whispered conversation in a crowded room.

### HUNGER STRIKE BY SUFFRAGETTES JAILED FOR RIOTS

Many, Sentenced to 14 Days, Declare "War to the Knife" Against Government.

LED BY THE "GENERAL"

"Bashibazoukesses," as London Now Terms Them, Go Prepared to Starve.

LONDON, Jan. 28.—"General" Mrs. Drummond and thirty other militant suffragettes will have to spend the next fourteen days in jail as the result of their determination to force David Lloyd George, Chancellor of the Exchequer, to release them as a detention in the House of Commons last evening. All the prisoners declared in court after they were sentenced to-day that they would immediately start a "hunger strike."

The accused women were brought up at Bow Street Police Court before Robert Marshall, the police magistrate, in the course of the forenoon and the same sentence was imposed on all of them.

Mrs. Drummond complained during the hearing that the police had roughly handled her when she was arrested. She declared the policeman had thrown her in the mud.

"It is no use to the ladies," she said, "the magistrates, and continued: 'You said Mrs. Lloyd George have a lot of trouble ahead of you. You will have to do the dirty work and you will have plenty of it.'"

The women all refused the option which was offered them of paying a fine instead of going to prison.

BRING CLOTHING FOR STAY IN PRISON.

Fourteen days' imprisonment was the sentence pronounced on most of the suffragettes brought up today at the various police courts in London. The accused women included window-smashers and letter-box damagers as well as the leaders of the House of Commons under the leadership of Mrs. Drummond.

Some of the women who had shattered valuable plate glass shop windows were committed for trial at the Old Bailey Sessions.

The favorite nickname given to the militant suffragettes in London is "bashibazoukesses."

Friends of the arrested women, confident that they would choose prison rather than pay fines, brought them grips and suitcases filled with clothing and toilet accessories, boxes of books and papers, wraps and steamer rugs. The corridors of Bow Street Court looked like a railway platform on excursion day.

When Miss Sylvia Pankhurst did not appear in Bow Street with "General" Drummond it was learned that she had been released on her own recognizance, promising good behavior pending her trial.

Miss Catherine Pankhurst, believed to be in London, is being sought high and low by Scotland Yard detectives.

Japan's New Foreign Minister.

TOKYO, Japan, Jan. 28.—Baron Tamaoki Kato, hitherto Japanese Ambassador to Great Britain, was today officially nominated Japanese Foreign Minister in the cabinet under the Premiership of Prince Taro Katano.

At one time Mr. Beall was associated with the late "Paradise Jimmie" Oliver. He was well known in political and club circles and was an ardent baseball fan. On his desk this afternoon was found a memorandum reading "Will be back at 5 o'clock." His partner said he left the office about 10 o'clock to keep two appointments.

### Do World Ads. Rent Furnished Rooms?

The answer to this question is of vital interest to thousands of New Yorkers.

New York City, Jan. 28, 1913.

It gives me great pleasure to tell you that I have just received from the New York City Board of Health, the following order:

"Since November 1, 1912, I have advised to advise New York City Board of Health, the following order:

Thank, No. 125 West 125th Street.

Be Sure and Advertise YOUR Furnished Rooms in Next Sunday's World

### PHONE GIRL SEES LAWYER KILLED BY 15-STORY FALL

Morris H. Beall Crashes Past Window at No. 29 Broadway Where Operator Sits.

A VICTIM OF VERTIGO.

Was at One Time Managing Clerk in Justice Hughes's Law Office.

Edith Gundry, the operator in charge of the telephone pay station on the ground floor of the Columbia Building at No. 18 Broadway, at noon today, heard a terrific crash in the courtyard just outside the window alongside her desk. Glancing in the direction of the sound she saw the body of a man lying crumpled up and motionless on the roof of the boiler room.

Calling up 500 Spring Miss Gundry instantly informed Police Headquarters that a man had fallen or jumped from a window on one of the upper floors of the building and was dead in the courtyard. Then she notified the superintendent and building employees carried up the corridor the remains of Morris H. Beall, a lawyer, with an office in the St. Paul Building, who had fallen from a jutting position on the ledge of the window of the washroom on the fifteenth floor.

LAWYER INSTANTLY KILLED BY FALL.

Policeman Dawson was summoned from the street and he sent to Hudson Street Hospital for an ambulance. Dr. Quinn, who responded to the call, said Mr. Beall, who had been identified by letters and cards found in his pockets, had been instantly killed.

By this time Reginald H. Bryan, Eastern manager of Black Diamond, a coal trade publication with an office on the fifteenth floor, had reached the main corridor with the story of how Mr. Beall came to his death. The window of Mr. Bryan's private office is about seven feet away and across from the window of the washroom on the eighteenth floor.

"I was dictating to my stenographer," said Mr. Bryan, "when I saw the window of the washroom open and this gentleman—indicating the body—was on the sill with his back turned to me. He appeared to be in some distress. I stood up, and as I did so he began to sway slowly forward. Before I could start for the door he toppled over the sill and disappeared from view. Thinking he might have been pushed out the window I ran to the washroom, but it was empty. He made no effort to save himself as he was falling from the window."

PARTNER NOTIFIED OF THE TRAGIC DEATH.

It was learned from the cards in the dead man's clothing that he was in law partnership with Martin J. Waters in the St. Paul Building. Mr. Waters was summoned by telephone. He was shocked when told the circumstances of the death of Mr. Beall.

"It was certainly an accident," declared Mr. Waters. "Mr. Beall had no business troubles. His practice was growing, he was happily married and had a little baby to whom he was passionately attached."

"Lately Mr. Beall has been suffering from vertigo. He must have had an attack while on the fifteenth floor of this building and sought the washroom for air."

Mr. Beall's home was at No. 2831 Broadway. His wife has been seriously ill, and Mr. Waters hurried to break the news to her before she could hear it from other sources.

Mr. Beall was forty-two years old and a native of Omaha, Neb. He attended Yale University and was a member of the graduating class of 1891. While in college he played shortstop on the baseball team. After his graduation he settled in New York and before going into the active practice of law was managing clerk for the firm of Carter, Hughes & Dwight, of which Supreme Court Justice Hughes was a partner.

At one time Mr. Beall was associated with the late "Paradise Jimmie" Oliver. He was well known in political and club circles and was an ardent baseball fan. On his desk this afternoon was found a memorandum reading "Will be back at 5 o'clock." His partner said he left the office about 10 o'clock to keep two appointments.

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### Opera Conductor and Singer Wedded After Stage Romance



### Spanking in Schools Is Needed, Says Expert

#### Hired to Find Evils

McMurry of Columbia Asserts Denounces the Law Against Corporal Punishment.

Prof. Frank M. McMurry of the Teachers' College, Columbia University, believes that spanking in the public schools is a necessary adjunct of education and that the law forbidding corporal punishment in any form is unwise.

Furthermore, he asserts that it is not enforced and cannot be. He thinks the proper course would be to convert some of the city schools, at convenient distances apart, into what in effect would be spanking schools, presumably in charge of lucky teachers. Unruly pupils from all over the city who need the rod could then be transferred to these schools and their cases properly attended to.

Prof. McMurry was engaged by the city to investigate certain branches of the public school system. This is what he says in his report on the subject of corporal punishment:

"The question of the discipline of the school children, particularly of those that cause much trouble, deserves careful consideration. In our judgment, the regulation totally forbidding corporal punishment, is unwise. It is not now fully enforced, and probably cannot be. So long as it exists, many an unruly child will attempt to take advantage of it, and thus cause trouble that would not otherwise be. If it could be understood that corporal punishment was allowed—under careful restrictions—in certain schools, wisely distributed over the city, and that troublesome children in other schools could be transferred to these, that arrangement alone would greatly relieve the distress of many teachers. At any rate, more aid should be given to teachers in this matter."

Prof. McMurry submitted his report today to President Mitchell, Chairman of the School Inquiry. The professor declares that "the most distressing fact has been our inability to discover any general striving toward the higher aims of instruction, or even signs of such general striving." His line of investigation dealt with "teachers and classes actually at work in the different elementary subjects and in the kindergarten." He advances no theories of teaching that cannot be demonstrated in the classroom.

DOES NOT BLAME THE TEACHERS, BUT THEIR SUPERIORS.

The attitude of the teachers, Prof.

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### 5-CENT FARE TO CONEY YIELDED BY THE B. R. T., M'ANENY ANNOUNCES

Borough President Declares, After Three Hours in Secret Conference, That a Great Concession Has Been Won for the Public.

THIS IS A SURPRISE TO COMMISSIONER MALTBIE

He Says the Question Was Not Discussed at the Morning Session of the Conference.

Borough President George McAneny of Manhattan made the announcement to a reporter from The Evening World, following a three-hour secret conference today of four members of the Public Service Commission and two members of the conference committee of the Board of Estimate, that the five cent fare to Coney Island had been put back in the B. R. T. contract. It had somehow slipped out of the contract upon which a final hearing was held Jan. 20.

"We devoted our whole attention this morning to the B. R. T. contract," said Mr. McAneny when the session adjourned for luncheon at 3 o'clock P. M. "We will be busy all afternoon with the same contract, and we may not reach the proposed Interborough contract before tomorrow."

Four automobile accidents happened this afternoon. One little schoolgirl was killed, another injured, a man was run over and another man with his little boy, had a close call.

Dora Rosenfeld, a schoolgirl, ten years old, living at No. 20 East Ninety-ninth street, was run over and killed by an auto truck owned by Morgan's Express Company and driven by Joseph Marano. The little girl, with two schoolmates on her way to school, was crossing Second avenue at One Hundred street. The children saw the truck coming and the companions of Dora ran back while she attempted to cross in front of it.

The chauffeur applied the emergency brakes, but the front wheels passed over the child before the machine could be stopped.

Marion Frankel, ten years old, had not left her home, No. 141 St. Ann's avenue, in the Bronx, more than a few minutes when she was struck by an auto owned and driven by Henry Lippe of No. 1023 Simpson street. Lippe picked up the girl and rushed her to the Lincoln Hospital. Her body was covered with bruises and there were abrasions on both knees. She was not seriously hurt, however.

Louis Lobbia, with his two and one-half year old boy, Vito, was crossing White Plains road at Post street, in the Bronx, this afternoon, when two auto trucks, one in tow of the other, both owned by the Studebaker Co. of No. 23 West Fifty-sixth street, came down the road. Lobbia saw the machines, but not the rope. He attempted to pass in front of the second and was knocked down, but neither he nor the child was hurt.

Jacob H. Ruess, an electrician, fifty-five years old, living at No. 314 East Thirty-eighth street, was run over by an automobile, this afternoon, at Lenox avenue and One-hundred and sixteenth street. He was taken to the Harlem Hospital.

"Well, what final disposition have you made of the Coney five-cent fare?" was asked. Mr. McAneny then dictated this answer:

"Under the draft of contract upon which the public hearing was held the Coney five-cent fare did not go into effect until the completion of the West End and Coney Island lines and the completion of the Culver and West End lines alone. The estimated time for the completion of the construction of these two lines is fifteen months."

CITY WILL SEE THAT LINES ARE QUICKLY FINISHED.

"But are not these two extensions built by the company with the company's money?" was asked.

"The letting of the contracts is done by the city, the whole job is within the control of the city," he replied. "Naturally the city will see to it that these particular lines are the first to be constructed."

"How about the Fourth avenue line and its connection with Coney Island?"

"These two lines—the West End and Culver—become a part of the Fourth avenue line," said Mr. McAneny. "They will radiate from the present planned lower terminus of the Fourth avenue line. The city, of course, will put the reconstruction of these lines among the first to be completed and put in operation. As for the upper part of the Fourth avenue line, it is now nearly completed."

"The B. R. T., before the final conference with the officials agreed to the five cent fare only when all of the Coney lines were reconstructed and the terminals down there built. This put the five cent concession for us have succeeded in getting the company to put the five cent fare into effect eighteen months after the beginning of work upon the construction of these South Brooklyn lines."

The section of the B. R. T. contract which killed the Coney five-cent fare read in part that the city "shall not prevent the lessee, prior to the completion of the Culver Line, Sections 2, 4, 6, 7 and 8 of the Broadway-Fourth avenue line, the Brighton Beach line and the Union Terminal of the lease at Coney Island from continuing to charge the same fare (10 cents) for a continuous ride over the railroad."

Mr. McAneny says that the words "the Brighton Beach Line and the Union Terminal of the lease at Coney Island" have been stricken from the contract. Only a careful examination of this latest final draft of the contract, and its submission to a competent authority will be convincing.

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Jacob H. Ruess, an electrician, fifty-five years old, living at No. 314 East Thirty-eighth street, was run over by an automobile, this afternoon, at Lenox avenue and One-hundred and sixteenth street. He was taken to the Harlem Hospital.

Four automobile accidents happened this afternoon. One little schoolgirl was killed, another injured, a man was run over and another man with his little boy, had a close call.

Dora Rosenfeld, a schoolgirl, ten years old, living at No. 20 East Ninety-ninth street, was run over and killed by an auto truck owned by Morgan's Express Company and driven by Joseph Marano. The little girl, with two schoolmates on her way to school, was crossing Second avenue at One Hundred street. The children saw the truck coming and the companions of Dora ran back while she attempted to cross in front of it.

The chauffeur applied the emergency brakes, but the front wheels passed over the child before the machine could be stopped.

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